

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Michael Kevin McFarland,

Plaintiff,

v.

Cherokee County Sheriff's Office, Bill
Blanton, Thomas E. Shealy,

Defendants.

C/A No. 7:17-cv-00519-TLW-KFM

ORDER

Plaintiff Michael Kevin McFarland, proceeding *pro se* and *in forma pauperis*, filed this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983.¹ ECF No. 1. The matter now comes before this Court for review of the Report and Recommendation (R&R) filed by Magistrate Judge McDonald to whom this case was assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), DSC. ECF No. 15. In the R&R, the Magistrate Judge recommends that the Court dismiss Plaintiff's complaint without prejudice and without issuance and service of process. Objections to the R&R were due on April 7, 2017, and Plaintiff filed no objections.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's R&R to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that R&R. 28 U.S.C. § 636. In the absence of objections to the R&R, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

¹ While this case was pending, it appears that Plaintiff was released from custody after maxxing out his 20-year sentence for Burglary, First Degree. ECF No. 10.

This Court carefully reviewed the R&R in this case. Noting that Plaintiff filed no objections and noting his recent release from incarceration, the R&R is hereby ACCEPTED. Therefore, for the reasons articulated by the Magistrate Judge in the R&R, Plaintiff's complaint is hereby DISMISSED without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

May 22, 2017
Columbia, South Carolina